

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
05/15/2001

04/30/2001

CLERK OF THE COURT
FORM R102B

JUDGE PRO TEM SUSAN HENNESY

J. Arnold
Deputy

CR 2000-000569

FILED: _____

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

KAREN L MITCHELL

SUZETTE I PINTARD

APO-PLEAS-CCC
MCSO-OIC
PSA - RELEASE & REPORTS

INITIAL APPEARANCE/WAIVER OF PRELIMINARY HEARING AND
PLEA AGREEMENT ARRAIGNMENT PROCEEDINGS

1:55 p.m. This is the time set for hearing defendant's oral motion to quash warrant. State is represented by Lisa Kiser. Defendant is present and represented by Suzette Pintard.

Court Reporter, Angela Furniss, is present.

IT IS ORDERED quashing the Warrant for Arrest issued January 12, 2000.

The Defendant is advised of the right to remain silent and the right to counsel.

IT IS ORDERED appointing the Public Defender's Office to represent the Defendant for all further proceedings in this case.

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IT IS FURTHER ORDERED releasing defendant on his/her own recognizance under the supervision of Pretrial Services pending future hearings. Issued: Release Order.

Defendant is advised as to the prior waiver of right to a Preliminary Hearing and Plea Agreement signed by Defendant and counsel.

The Defendant states true name as is noted in the agreement.

The Court advises the Defendant as to the range of possible sentences for the offense, including whether or not probation is available and any other conditions imposed by statute, including special requirements for probation, if available. The Court further advises the Defendant as to all constitutional rights waived by the Plea Agreement.

The parties indicate that they believe that the Defendant has no violent crime convictions and one prior drug conviction. The Defendant is therefore advised of the penalties for second-time drug offenses under A.R.S. Section 13-901.01(F).

The Court further advises the Defendant that by entering into a plea agreement that he/she waives the right to have the Arizona Court of Appeals review the proceedings by way of a direct appeal, and may seek review only by filing a Petition for Post Conviction Relief, pursuant to Rule 32 within 90 days of entry of judgment and sentencing.

Upon inquiry, the Court finds that the Defendant desires to forego the constitutional rights, that the plea of:

GUILTY is made knowingly, intelligently and voluntarily, not the result of force, threats or promises; that there is a factual basis for the plea; and that the Defendant understands the range of sentences and other penalties available.

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The Defendant enters a plea of Guilty to the following crime(s):

OFFENSE: Count 2, amended, Possession of Drug Paraphernalia, a class 6 undesignated, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3407, 3415, 3418, 701, 702, 702.01, 707, 801, 802 committed on September 18, 1999.

The plea of the Defendant is accepted and entered of record.

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on May 30, 2001 at 8:30 a.m. before Judge Pro Tem Susan Hennesy.

IT IS FURTHER ORDERED that a presentence investigation and report be made and that the Defendant, if not in custody, shall immediately report to the Adult Probation Department.

ISSUED: Request for Presentence Report (Green Slip).

IT IS FURTHER ORDERED that the motion to dismiss Count 1 as reflected in the Plea Agreement, will be deemed submitted at the time of sentencing.

IT IS FURTHER ORDERED affirming prior orders.

IT IS FURTHER ORDERED vacating any pending dates.

FILED: Plea Agreement.

2:00 p.m. Matter concludes.

5:00 p.m. Let the record reflect that MCSO (Jenny) is called and the warrant is quashed.